

REMARKS

Claims 1, 5, 6 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson in view of Marcellaro. Thompson is cited as teaching various features claimed by applicant, but this reference is primarily concerned with placement of several vents at various locations on a jumpsuit. While the present applicant also provides vents in the claimed suits, a main concern is directed to other features not disclosed or suggested by Thompson, in particular, an elongated crotch opening and provision of a projecting support member above the waistband at the back side of the suit to enable support of an upper end of a main zipper to a level above the waist, facilitating effective opening of the back of the suit over the hips of the user for toilet purposes. This aspect of jump suits could not be found in the Thompson patent, and no suggestion of such a feature was included. With regard to vents, applicant's side vents extend further vertically than those shown by Thompson, and they serve a particular purpose, that is, to provide added air flow to the body as stated at page 5, paragraph three, of the specification.

Marcellaro is cited as teaching a jump suit having an upper body portion, a lower pants portion and a waistband assembly connected to the stated portions and a crotch defined between leg portions, the waistband assembly including an upward projecting support member (38) having defined therein an upper extension of the crotch opening (38a). As shown in Figs. 1 through 5 the alleged support member 38 is

located under the waistband, and is not positioned above the waist or up to the small of the back of the user as required by the claims. The alleged location of items designated by numerals 38 and 38a referred to by the Examiner appear to be incorrect. These numerals refer to a hook and a hook fastener of a Velcro connector, both of which are shown in many of the drawings to be located well below the claim requirements. A hook fastener 50 is shown in other drawings as being located slightly above the top of folding flaps, but still not up to the small of user's backs.

Claims 5, 6 and 9, directed to inclusion of an elastic strap underneath the waistband assembly, a belt over the waistband and perforated mesh strips located across vertically extending vents, were said to be obvious in view of the combined features shown in the patents discussed above. It is submitted that claims which include the novel features recited in claim 1 and discussed above should be allowed to obtain detailed coverage of secondary features required or highly useful to the invention.

Claims 1, 7 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson in view of O'Hara. As discussed above, Thompson discloses various features such as vertical gaps and vents, while failing to disclose features important to the present invention, in particular elements of the claimed waistband and assembly required to enable opening over the hips, that is, a projecting support member and

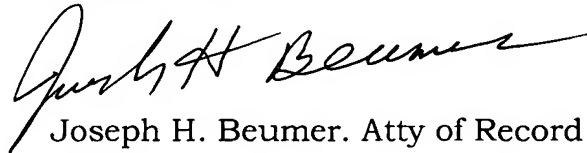
a backside portion of the support member securing the main zipper for being opened to the small of the back. O'Hara is credited with disclosing a garment comprising a waistband assembly connected to an upper edge of a pants portion including a crotch opening and an upper projecting support member(16,22) . These support members as shown in Fig. 3 extend upward only underneath a belt 14 at the waist, and do not extend above the waistband as required by applicant's claims as explained above. The Examiner contends that a jumpsuit with Thompson's vents and O'Hara's extended crotch opening would provide for hidden access flaps in the seat portion which can be easily opened and closed for toilet use. This conclusion appears to be speculative and in contrast with applicant's approach of providing a system based on enabling backside components to be opened over the hips of the user in question. Obviousness of the stated claims is believed negated by the failure of the combined patents to teach or suggest certain important features as discussed above.

Claims 2-4 were rejected under 35 U.S.C, 103(a) as being unpatentable over Thompson and O'Hara as previously applied and further in view of Paciokowski. The last patent under this listing discloses having vents, a foldable front panel and numerous other pads and accessories connected to the suit, but it fails to disclose significant components as required by the claims to provide for opening of the suit over the hips of the user as discussed above. Obviousness is believed to

be negated by a lack of showing important features required by claims of the applicant.

All of the points raised by the Examiner are considered to have been fully met by this amendment and that all of the claims are now in condition for allowance. Favorable action is accordingly requested.

Respectfully,

A handwritten signature in black ink, appearing to read "Joseph H. Beumer", written in a cursive style.

Joseph H. Beumer. Atty of Record

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